

FORM PTO-1390  
(REV 10-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

HA01-P01

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/673221

INTERNATIONAL APPLICATION NO.

PCT/GB99/01138

INTERNATIONAL FILING DATE

14 APR 99

PRIORITY DATE CLAIMED

14 APR 98

TITLE OF INVENTION

METHOD OF MANUFACTURING TRANSDERMAL PATCHES

APPLICANT(S) FOR DO/EO/US

Mark Rupert TUCKER

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).
4. ☐ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11 to 16 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
  - Return receipt postcard
  - Check in the amount of \$65.00
  - Communication
  - Copy of Notification of Missing Requirements dated 14 NOV 00

11/27/2000 ERIMANDO 00000017 09673221

01 FC:254

65.00 OP

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>09/673221</b>		INTERNATIONAL APPLICATION NO. <b>PCT/GB99/01138</b>		ATTORNEY'S DOCKET NUMBER <b>HA01-P01</b>	
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<p>17. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p><b>BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5) ) :</b></p> <p>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$1000.00</b></p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$860.00</b></p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$710.00</b></p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$690.00</b></p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b></p> <p style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></p>	<b>CALCULATIONS</b> PTO USE ONLY																					
<p>Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">CLAIMS</th> <th style="width:20%;">NUMBER FILED</th> <th style="width:20%;">NUMBER EXTRA</th> <th style="width:20%;">RATE</th> <th style="width:20%;"></th> </tr> <tr> <td>Total claims</td> <td style="text-align: center;">- 20 =</td> <td></td> <td style="text-align: center;">X \$18.00</td> <td>\$</td> </tr> <tr> <td>Independent claims</td> <td style="text-align: center;">- 3 =</td> <td></td> <td style="text-align: center;">X \$80.00</td> <td>\$</td> </tr> <tr> <td colspan="4">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td style="text-align: center;">+ \$270.00</td> </tr> </table> <p style="text-align: right;"><b>TOTAL OF ABOVE CALCULATIONS =</b></p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.</p> <p style="text-align: right;"><b>SUBTOTAL =</b></p> <p>Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</p> <p style="text-align: right;"><b>TOTAL NATIONAL FEE =</b></p> <p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property .. +</p> <p style="text-align: right;"><b>TOTAL FEES ENCLOSED =</b></p>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		Total claims	- 20 =		X \$18.00	\$	Independent claims	- 3 =		X \$80.00	\$	MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$270.00	\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																			
Total claims	- 20 =		X \$18.00	\$																		
Independent claims	- 3 =		X \$80.00	\$																		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$270.00																		
<p>*Surcharge under 37 CFR 1.492(e) for late filing of Declaration</p>		Amount to be refunded:	\$																			
		charged:	\$																			

  

a. ☒ A check in the amount of \$ 65.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. \_\_\_\_\_. A duplicate copy of this sheet is enclosed.

  

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

  

SEND ALL CORRESPONDENCE TO:  John S. Reid Reidlaw, L.L.C. 1926 S. Valleyview Lane Spokane, WA 99212-0157	Date: <u>20 NOV 2000</u>	 SIGNATURE: <u>John S. Reid</u> NAME <u>36,369</u> REGISTRATION NUMBER
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

INVENTORSHIP ..... Mark Rupert TUCKER  
ASSIGNEE ..... Stowic Resources Limited  
SERIAL NO. .... 09/673,221  
FILED ..... October 12, 2000  
PRIORITY DOCUMENT ..... PCT/GB99/01138  
ATTORNEY DOCKET NO. .... HA01-P01  
TITLE:       **Method of Manufacturing Transdermal Patches**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**COMMUNICATION**

The attached "Notification Of Missing Requirements," which was mailed on November 14, 2000, indicates that an oath or declaration of the inventor, identifying the application by the International application number and filing date, needs to be provided, as well as the surcharge for providing the oath or declaration later than 30 months from the priority date.

In fact, a Declaration containing a reference to the International application number and date of filing was filed with the Office on November 3, 2000. A copy of the Declaration is attached. The reference to the International application and filing date can be found at line 11 of the Declaration.

However, a surcharge was not paid for the late filing of the Declaration. Accordingly, the surcharge in accordance with 37 CFR 1.492(e) is enclosed herewith.

Applicant believes that the rules have now been fully complied with, and respectfully requests that the examination of the application by the U.S. Patent Office proceed forthwith.

Respectfully submitted,

Date: Nov. 20, 2000

By: John S. Reid  
John S. Reid  
Registration No. 36,369  
Attorney and agent for Applicants

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**

Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/673221	TUCKER	M HA01-P01

JOHN S REID  
REIDLAW  
1926 S VALLEYVIEW LANE  
SPOKANE, WA 99212 0157

INTERNATIONAL APPLICATION NO.	
PCT/GB99/01138	
I.A. FILING DATE	PRIORITY DATE
14 APR 99	14 APR 98
DATE MAILED: 14 NOV 2000	

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
- ☒ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application in:
  - ☐ a non-English language.
  - ☒ English.
- ☒ Translation of the international application into English.
- ☐ Oath or Declaration of inventors(s) for DO/EO/US.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☒ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☐ Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_.
- ☐ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_.
- ☐ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification filed \_\_\_\_\_.
- ☐ Verified Statement Claiming Small Entity Status.
- ☒ Priority Document.
- ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
- ☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
  - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
  - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled! Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed:

☐ PCT/DO/EO/917 ☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Paulette Kidwell, Paralegal

Telephone: 703-305-3656